

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-091366

01/03/2013

HONORABLE PAUL J. MCMURDIE

CLERK OF THE COURT
V. Felix
Deputy

IN RE THE MARRIAGE OF
JOSHUA MICHAEL MCADAM

JANE D SCHMALTZ

AND

TOSHA LYNN RICHMOND

TOSHA LYNN RICHMOND
UP

TASC - MESA

MINUTE ENTRY

Courtroom 405 - SEF

9:58 a.m. This is the time set for Emergency Temporary Orders Hearing regarding *Motion for Pre-Decree Temporary Order without Notice for Child Custody* filed by Respondent on December 21, 2012. Petitioner, Joshua McAdam, is present with above-named counsel, Jane Schmaltz. Respondent, Tosha Richmond, is present on her own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding the status of the case.

IT IS ORDERED that **Father, Joshua McAdam**, shall report to TASC by no later than **the close of business on January 4, 2013**, to submit to a hair follicle test.

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IT IS FURTHER ORDERED:

1. **Father** shall appear in person at TASC, Inc., at 2234 N. Seventh Street, Phoenix, at 423 N. Country Club Drive, Suite 19, Mesa, or at 5955 W. Myrtle Avenue, Suites 2 – 4, Glendale, before **the close of business on January 4, 2013;**
2. **Father** shall present to TASC the Court-Ordered Substance Abuse Testing form issued by this Court and shall provide all information necessary for its completion;
3. **Father** shall provide such samples as are reasonably required by TASC to comply with this Order. **Father** shall submit to the hair follicle test;
4. **Father** shall sign, execute, and deliver such forms of consent and authorization as shall be reasonably required by TASC to comply with this Order;
5. The results of said testing shall be reported directly to this Court in writing by TASC, with copies provided to counsel for both parties or directly to the parties, if unrepresented;
6. **Father** shall report for subsequent testing as directed by TASC and shall present a photo I.D. at the time of testing, along with any prescription medications currently being taken;
7. **Father** shall pay the costs of **his** own testing BY MONEY ORDER OR CASHIER'S CHECK at the time of testing;

PLEASE NOTE: In the event that Father's hair follicle test produces a negative result, Mother may be required to reimburse Father the costs incurred when he submitted to the hair follicle test.

8. All parties are advised that the failure, neglect, or refusal to participate in testing may be considered an admission by the party that the testing, if conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interests of the **children**; failure to submit to a drug test, absent good cause shown, may result in a finding of Contempt of Court, incarceration in the Maricopa County Jail, issuance of a Civil Arrest Warrant, or other sanctions by the Court;
9. The parties are also advised that a diluted test specimen may be considered an attempt to conceal the presence of illicit drugs, which finding is contrary to the best interests of the **children**;

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10. ***Father*** shall be randomly tested one time.

11. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court.

IT IS FURTHER ORDERED no later than close of business on **January 4, 2013**, Mother's husband, Craig R. McClanahan, must appear for a hair follicle test at a location of TASC as indicated on the TASC Referral Form.

PLEASE NOTE: In the event that Mr. McClanahan's hair follicle test produces a negative result, Father may be required to reimburse Mr. McClanahan the costs incurred when he submitted to the hair follicle test.

If a party is unable to provide a hair sample to TASC, they shall immediately notify this Court and a referral to another lab will be provided.

ISSUED: Court Ordered Substance Abuse Testing form (2)

Further discussion is held.

IT IS FURTHER ORDERED the current orders in this matter shall remain in place until further order of the Court.

Discussion is held regarding counsel for Father's request for a witness to appear telephonically at Trial.

10:09 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.